

ernor have unfettered discretion in delegating his functions to the lieutenant governor.

Hence, for example, the governor could, if he chooses, delegate to the lieutenant governor power to veto bills, to call out the militia, or to fire department heads. This decision is left to the governor.

The Committee considered whether the lieutenant governor should be made ex officio president of the Senate. It was decided that the Constitution should not so provide. It is the feeling of the Committee that the proper role of the lieutenant governor is as the governor's assistant and that he should not be assigned constitutional duties that might interfere with the exercise of this role.

The creation of the office of lieutenant governor will permit orderly succession to the office of governor and provide the governor with an official assistant to whom he can assign some of his ever increasing duties.

This section also states the qualifications for holding the office of lieutenant governor. The qualifications are identical with the qualifications for holding the office of governor, with one exception. The Committee feels that if a former governor could serve as lieutenant governor, a real question might arise as to who was running the State. Therefore, the last sentence of section 4.03 provides that any individual who has been elected governor shall thereafter be ineligible to serve as lieutenant governor.

Section 4.04: Salary of Governor and Lieutenant Governor: This section provides that the General Assembly shall by law prescribe the salary of the governor and lieutenant governor, but may not increase or decrease such salary during the governor's or lieutenant governor's term of office. It differs from the present Constitution which provides in Article II, section 21 that the governor shall receive a salary of \$25,000 per year and which provides in Article III, section 52(6) that the salary of any public official shall not be decreased during his term of office.

Maryland experience clearly indicates the disadvantage of fixing a salary ceiling in the Constitution. In 1955, the governor was still receiving the \$4,500 salary originally fixed by the Constitution of 1867. The Constitution has twice since been amended to raise the governor's salary to \$25,000, an amount the Committee feels is still too low.

Although the Committee feels that the General Assembly should be able to set the salaries of the governor and lieutenant governor legislatively, it also feels that certain safeguards are necessary. The provision prohibiting the General Assembly from increasing salary during the governor's term of office will remove any temptation of a gubernatorial effort to "sell," or a legislative effort to "buy" approval of a certain measure; the provision prohibiting the General Assembly from decreasing salary will protect the governor and lieutenant governor against a hostile General Assembly.

"Salary" as used in this section is only intended to include the wage the governor and lieutenant governor receive for their services. It is the intent of the Committee that the General Assembly should be able to adjust from time to time the various expenses and allowances provided by law for the governor and lieutenant governor without regard to the limitations in this section.

"Term," as used in this section, is intended to mean that period of time for which the governor or lieutenant governor serve as the result of a single election. Typically under section 4.05 of the proposed draft, this period will be four years. Hence, if the General Assembly raised the governor's salary during the governor's first four years in office, the governor could, if re-elected, begin receiving this increase during his second four years in office.

It should be noted that it is possible under section 4.10 of the proposed draft for a governor and lieutenant governor to be elected for a two year period. If this should occur, their term would be this two year period. When an individual succeeds to the office of governor or lieutenant governor without having been elected pursuant to section 4.10 of the draft, it is the intent of the committee that his term shall be considered to be the term of his elected predecessor.

Section 4.05: Election of Governor and Lieutenant Governor: This section provides for the popular election of the governor and lieutenant governor by the qualified voters of the State. It combines, in substance, Article II, sections 2, 3, and 4 of the present Constitution, but omits the detailed provisions dealing with the date of election, qualifications of voters and canvassing of returns.

One of the changes made by this section is to fix the date on which the governor